

# CARLSMITH BALL LLP

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February 24, 2009

The Honorable Chairman and Members  
of the Hawaii Public Utilities Commission  
465 South King Street, Room 103  
Honolulu, Hawaii 96813

PUBLIC UTILITIES  
COMMISSION

2009 FEB 24 A 10:01

FILED

Re: Docket No. 2008-0274 - Decoupling Proceeding

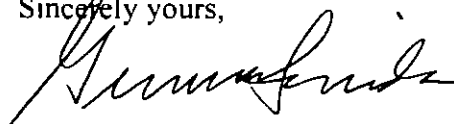
Dear Commissioners:

I am pleased to enclose the original and eight (8) duplicates of a Protective Agreement (Exhibit A) executed by Gerald A. Sumida, as counsel for Hawaii Holdings, LLC, doing business as First Wind Hawaii ("First Wind") in accordance with the Protective Order filed by the Commission on January 6, 2009, in Docket No. 2008-0274.

One (1) correct copy of the enclosed signed Protective Agreement (Exhibit A) is today being mailed by first class mail to each recipient identified on the Certificate of Service attached hereto, except for those correct copies that are being hand delivered to Catherine P. Awakuni, Executive Director, Division of Consumer Advocacy, and to each of Dean K. Matsuura, Manager, Regulatory Affairs, Hawaiian Electric Company, Inc. and Thomas W. Williams, Jr., counsel for the HECO Companies.

Thank you for your consideration in this matter.

Sincerely yours,



Gerald A. Sumida  
Counsel for Hawaii Holdings, LLC,  
doing business as First Wind Hawaii

Enc.

cc: Attached Certificate of Service

4817-3576-8323 1

CERTIFICATE OF SERVICE

Correct copies of the foregoing letter and Protective Agreement (Exhibit A) were served on the date of filing on the following parties, by causing copies hereof to be hand delivered or mailed, postage prepaid and properly addressed to each party as follows:

CATHERINE P. AWAKUNI  
Executive Director  
Division of Consumer Advocacy  
Department of Commerce and Consumer Affairs  
335 Merchant Street, Room 326  
Honolulu, Hawaii 96813

2 Copies  
Via Hand Deliver

DEAN K. MATSUURA  
Manager, Regulatory Affairs  
Hawaiian Electric Company, Inc.  
P. O. Box 2750  
Honolulu, Hawaii 96840-0001

Via Hand Delivery

JAY IGNACIO  
President  
Hawaii Electric Light Company, Inc.  
P. O. Box 1027  
Hilo, Hawaii 96721-1027

By Mailing

EDWARD L. REINHARDT  
President  
Maui Electric Company, Ltd.  
P. O. Box 398  
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By Mailing

THOMAS W. WILLIAMS, JR., ESQ.  
PETER Y. KIKUTA, ESQ.  
DAMON SCHMIDT, ESQ.  
Goodsill Anderson Quinn & Stifel  
1800 Alii Place  
1099 Alakea Street  
Honolulu, Hawaii 96813

Via Hand Delivery

Attorneys for Hawaiian Electric Company, Inc.,  
Hawaii Electric Light Company, Inc.,  
and Maui Electric Company, Limited

RANDALL J. HEE, P.E.  
President and CEO  
Kauai Island Utility Cooperative  
4463 Pahe'e Street, Suite 1  
Lihue, Hawaii 96766-2000

By Mailing

TIMOTHY BLUME  
MICHAEL YAMANE  
Kauai Island Utility Cooperative  
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KRIS N. NAKAGAWA, ESQ.  
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Hawaii Renewable Energy Alliance  
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CARL FREEDMAN  
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Haiku, Hawaii 96708

By Mailing

MIKE GRESHAM  
Hawaii Holdings, LLC, dba First Wind Hawaii  
33 Lono Avenue, Suite 380  
Kahului, Hawaii 96732

By Mailing

DEBORAH DAY EMERSON, ESQ.  
GREGG J. KINKLEY, ESQ.  
Deputy Attorney General  
Department of the Attorney General  
State of Hawaii  
425 Queen Street  
Honolulu, Hawaii 96813

By Mailing

Attorneys for the Department of Business, Economic  
Development, and Tourism

MARK DUDA  
President  
Hawaii Solar Energy Association  
P. O. Box 37070  
Honolulu, Hawaii 96837

By Mailing

DOUGLAS A. CODIGA, ESQ.  
Schlack Ito Lockwood Piper & Elkind  
Topa Financial Center  
745 Fort Street Mall, Suite 1500  
Honolulu, Hawaii 96813

By Mailing

Attorney for Blue Planet Foundation

EXHIBIT A

BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF HAWAII

PROTECTIVE AGREEMENT

1. I, Gerald A. Sumida, have been presented with a copy of Protective Order filed by the Hawai'i Public Utilities Commission in Docket No. 2008-0274 on the 6th day of January, 200<sup>9</sup>~~8~~ ("Protective Order").

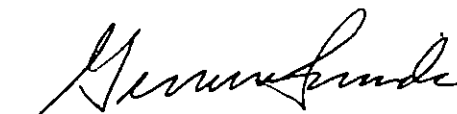
2. I am employed, retained or assisting Hawaii Holdings, LLC, dba First Wind Hawaii in Docket No. 2008-0274, am a "Qualified Person" pursuant to paragraph 12 of the Protective Order, and have requested review of the confidential information covered by the Protective Order.

3. I understand the confidential information covered by the Protective Order is to be used solely to assist Hawaii Holdings, LLC, dba First Wind Hawaii as provided for in paragraph 15 of the Protective Order (and paragraph 17 in the case of rendering assistance to the Consumer Advocate), and that I am to make no other use of the confidential information, nor am I to disclose the confidential information to any other person unless otherwise permitted by the Protective Order.

4. I further understand that at the conclusion of my assistance to Hawaii Holdings, LLC, dba First Wind Hawaii, I shall account for each copy, extract, note and summary of, or other document containing any part of such confidential information to the party claiming confidentiality and I shall abide by the provisions in paragraph 28 of the Protective Order, unless otherwise permitted by paragraphs 29 and 30 of the Protective Order.

5. I hereby certify that I have read the above-mentioned Protective Order and agree to abide by its terms and conditions.

DATED at Honolulu, Hawaii, on February 23, 2009

  
Signature

Carlsmith Ball LLP  
ASB Tower, Suite 2200  
1001 Bishop Street, Honolulu, HI 96813  
Address

( 808 ) 523-2528  
Telephone Number